

ATTACHMENT - A

29 November 1951

MEMORANDUM FOR: Chairman, Career Service Committee

FROM : Working Group on Career Benefits

SUBJECT : Continuance of Pay and Allowance

1. Item I B of the Agenda of this Working Group, dated 29 October, 1951, relates to extension of the authority, presently contained in paragraph 5.4 of the Confidential Funds Regulations, which applies provisions of the Missing Persons Act to CIA staff employees and staff agents. That Act generally provides for the continuation of normal pay and allowance where an employee is interned, missing beleaguered, besieged, etc. There are further provisions relating to procedures whereby a status of missing, or other type of status, can be continued or terminated. The Act provides for determination by the head of the agency concerned that the individual is dead. During the period of such status, for example, the dependents of the individual may continue to receive an appropriate amount for their needs from the salary normally due to the individual.

2. The benefits of this Act are applied only to staff employees and staff agents of CIA who are paid from unvouchered funds. It is believed that the desirability and justification for such authority are quite obvious. However, it is the opinion of this Group that, through an appropriate method, the benefits of such Act, or similar provisions, be made available to all employees of CIA. In addition to providing for equitable treatment of various employees of CIA, statutory authorization of this type enables many administrative obstacles to be overcome. For example, the law provides for a determination of death by the head of the agency concerned, which normally would be acceptable for other legal purposes, such as settling the estate of the individual.

3. The Working Group discussed S 1820, which was introduced by Mr. Johnston of South Carolina to accomplish substantially the same purpose as the provisions of the original Missing Persons Act, which will expire as a wartime statute upon ratification by the Senate of the Japanese Peace Treaty. It has been learned that both the Civil Service Commission and the General Accounting Office have certain objections to the Bill in its present form. This Group believes that the general purposes of the proposed Bill would substantially accomplish the objectives indicated above. Therefore, it is recommended that the Career Service Committee, through whatsoever channels it deems appropriate, recommend that CIA support S. 1820. It is evident that the progress of the Bill will have to be followed carefully in order to insure that probable revisions will maintain it consistent with CIA objectives. It would appear appropriate, if CIA takes this position, that responsibility for action should be placed on the General Counsel's office for following the Bill

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- 2 -

and informing the appropriate Congressional Committees of CIA support for the provisions of the Bill.

4. In view of the above, this Working Group believes that no further action is necessary on Item I B of the Agenda of this Working Group.

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Chairman

OGC/JSW/mw/McD

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